IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 16879 of 2004

Between:

Mohan Singh, S/o Balwanth Singh, aged about 38 years,
R/o Housing Board, Kama Reddy, Nizamabad District.

..... PETITIONER

AND

1 The Secretary, Regional Transport Authority,
Nizamabad District.

2 The Motor Vehicles Inspector Kamareddy,

Nizamabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the 2nd respondent in seizing and detaining the petitioner's Tractor and Trailor Vehicle bearing Reg.No.APJ 9388 and AP-25-T-1735 Vide Check report No.164574 dt.9.5.2002 as illegal, arbitrary and unconstitutional and consequently to direct the respondent to release the vehicle bearing Tractor Vehicle.

Counsel for the Petitioner: MR.S.PRASAD

Counsel for the Respondents: GP FOR TRANSPORT

The Court at the admission stage made the following

O R D E R (Per the Hon'ble Sri Justice Bilal Nazki):

Heard learned Counsel for the parties. With their consent, the Writ Petition is disposed of at this stage.

It appears that the petitioner's vehicle has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle subject to payment of tax due by the petitioner, without prejudice to his rights in the enquiry and further subject to filing an undertaking by the petitioner to the effect that he shall not alienate or in any way encumber the vehicle.

The Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

6th October, 2004.

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(S.ANANDA REDDY, J)

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To

1 The Secretary, Regional Transport Authority,
Nizamabad District.

2 The Motor Vehicles Inspector Kamareddy,

Nizamabad District.

3 Two CCs to the Government Pleader for Transport, High Court

of A.P., Hyderabad. (O.U.T.)

4 Two CD copies.